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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/771,805

02/04/2004

Clay Fisher

Sony-05900

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7590

11/20/2006

O'BANION & RITCHEY LLP/ SONY ELECTRONICS, INC.

400 CAPITOL MALL

SUITE 1550

SACRAMENTO, CA 95814

EXAMINER

MOFIZ, APU M

ART UNIT

PAPER NUMBER

2165

DATE MAILED: 11/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/771,805

Applicant(s)

FISHER ET AL.

Examiner

Apu M. Mofiz

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 17-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 17-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-10 and 17-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satomi et al., (U.S. Patent Publication No. 2003/0063304 and Satomi hereinafter) in view of Lamkin et al., (U.S. Patent Publication No. 2006/0159109 and Lamkin hereinafter).

As to claims 1,10,17,18 and 24-28, Satomi teaches a method comprising: receiving a request corresponding to a specific content (i.e., "a button 2907 is a button for deleting an album. A button 2908 is a button for uploading image data. A button 2909 is a print order button. ([0203]) ...If it is determined in step S3105 that creation of a new album is not selected, it is checked in step S3107 whether deletion of an album is selected. If the button 2907 is pressed, it is determined that deletion of an album is selected, and the flow advances to step S3108. If the button 2907 is pressed, a window 3400 shown in FIG. 33 is displayed to allow the

user to delete the selected album. (FIG. 33; [0219]) ... When the print order button 2909 on the window 2900 is pressed, the photosite 105 searches the album image data table 800 to acquire and image count N of the currently selected album in step S4801. ([0274]) ... In step S4805, the photosite 105 searches the album image data table 800 in the database 118 for a record whose image display number is I, and acquires the image ID 802 of the image. The photosite 105 also searches the image information data table 900 for a record with image information having the image ID 901. From the searched information data table 900, the photosite 105 acquires the file path 904 to the original image, ([0278]) ...” The preceding text excerpts clearly indicate that a user can request over the network (i.e., internet) to print, delete, upload etc. a specific image album or image in the photosite system (server). The photosite system based on the type of the request (e.g., delete, print etc.) searches/reviews/analyzes information in a database (e.g., album image data table i.e., information related to the specified image, album etc.) and selectively asks the user to confirm the request (e.g., a delete request to delete a specific album) and based on the users confirmation response, processes/performs the requested job (i.e., delete the image or image album etc.); reviewing a record associated with the specific content in response to the request (please see explanation above; [0116];[0274];[0278]); selectively transmitting a confirmation for the request based on the reviewing (please see explanation above; [0219]; Fig. 33); and performing the request in response to receiving the request and instruction from the user in responding to said confirmation (please see explanation above; [0203];[0219]).

Satomi does not explicitly teach that the request corresponding to a specific content wherein duplicates of said specific content are retained across multiple devices

configured for communicating with one another over a network and response to the request based on the presence of any duplicate or related content.

Lamkin teaches that the request corresponding to a specific content wherein duplicates of said specific content are retained across multiple devices configured for communicating with one another over a network and response to the request based on the presence of any duplicate or related content (i.e., "Synchronizing content can provide a consistent view of content over the network when multiple copies of content exist over the network. ... synchronization can delete, add, move or alter content based on changes of status of content one or more devices of the network. ([0132]) ... With the distribution of content throughout the network 121 (e.g., a home network) and media being copied around to other devices for usage, it is common to end up with **duplicate media or files**. ... it may be desirable that after the news broadcast recording has been viewed, that it be deleted on not only the device from which it was watched, but also other devices throughout the digital network. ... This feature in some embodiments is **initiated at a viewers request** for multi-user households. ... In some instances, however, the first copy **may not be deleted if not authorized**. ([0133]) ... Similar predictive criteria, **user instructions or other conditions can dictate the deletion from other devices of the network** ([0139])." The preceding text excerpts clearly indicate that duplicate media (e.g., video, audio etc.), files are stored in multiple devices in a network. A user can request/instruct to delete a specific content/file/media from a device(s). The system determines if any duplicates exist.).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Satomi with the teachings of Lamkin to

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include that the request corresponding to a specific content wherein duplicates of said specific content are retained across multiple devices configured for communicating with one another over a network and response to the request based on the presence of any duplicate or related content with the motivation to synchronize content to provide a consistent view of content over the network when multiple copies of content exist over the network (Lamkin, [0132]).

As to claim 2, Satomi teaches wherein the reviewing further comprises using a preference corresponding with the request to determine whether the confirmation is transmitted ([0265]).

As to claims 3, 4 and 20, Satomi teaches wherein the preference is based on the type of the request ([0265]; [0271];[0274]).

Satomi does not teach determining utilization of any duplicate or related content.

Lamkin teaches determining utilization of any duplicate or related content (See explanations in rejected claim one above.).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Satomi with the teachings of Lamkin to include determining utilization of any duplicate or related content with the motivation to synchronize content to provide a consistent view of content over the network when multiple copies of content exist over the network (Lamkin, [0132]).

As to claims 5 and 19, Satomi teaches wherein the specific content includes one from the group of content items consisting of a photograph, music, a document, and a video (Abstract).

As to claims 6 and 23, Satomi teaches wherein the request includes one from the group of request types consisting of saving, deleting, modifying, and printing of the specific content ([0090]).

As to claims 7 and 21, Satomi teaches storing the preference in a storage device (Fig.1 and Fig.2).

As to claims 8 and 22, Satomi teaches storing the record in a storage device (Fig.1 and Fig.2).

As to claim 9, Satomi teaches wherein the confirmation asks the user for authorization for executing the request (FIG. 33; [0099];[0219]).

Conclusion

4. **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Points of Contact

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Apu M. Mofiz whose telephone number is (571) 272-4080. The examiner can normally be reached on Monday – Thursday 8:00 A.M. to 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached at (571) 272-4146. The fax numbers for the group is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.



Apu M. Mofiz
Primary Patent Examiner
Technology Center 2100

November 16, 2006